

REMARKS

Claims 1 and 8 are pending in the instant application, and claims 14-16 and 18-22 are withdrawn from consideration. Applicants appreciate that the objection to the specification because it contains a hyperlink is withdrawn. Further, the objection to the claims is withdrawn, and the rejection under 35 U.S.C. 101 was overcome by Applicants' Amendment and Response mailed on May 8, 2007.

Rejection under 35 U.S.C. 112

Applicants appreciate that most of the earlier rejections under 35 U.S.C. 112 and 102 were withdrawn. The Examiner rejects claim 8 as not properly enabled. The Examiner maintains the following:

1. CCA1 is an essential protein for *Candida* species;
2. *Candida* have more than one essential gene (protein);
3. One of skill in the art allegedly cannot determine that any negative effect on growth or viability seen in a cell is due to impairment of CCA1 by the candidate compound (*citing Onishi et al., Antimicrobial Agents and Chemotherapy* p. 368-377 (where a subsequent screening step is performed to determine whether a compound is a direct inhibitor of an enzyme by measuring the enzyme's activity in the presence of the compound); and
4. An antifungal compound may have many different activities and may inhibit growth without impairing CCA1 activity (*citing Ghannoum et al., 1999, Clinical Microbiology Reviews*, p. 501-517).

In the interest of advancing prosecution and obtaining swift issuance of a patent, Applicants change the claim language to recite "e) determining whether the candidate compound is a CCA1 inhibitor." No issue of new matter arises by way of this change as support is found in the specification in paragraphs [0033] and [0034]. As step "e)" is believed to be a final step in the method, redundant step "f)" is deleted.

The Examiner rejects claim 1 as unclear because of the language of step d). The Examiner suggests changing the claim to read “d) determining the ability of the candidate compound to inhibit CCA1 activity.” Also in the interest of advancing prosecution and obtaining swift issuance of a patent, Applicants herein make this minor change without affecting the scope of the claims.

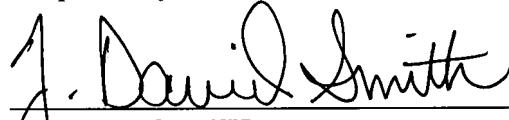
Fees

No fees are believed to be necessary in connection with this response. However, if this is in error, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment, or credit any overages.

Conclusion

Applicant believes that the foregoing amendments to the claims place the application in condition for allowance. Withdrawal of the rejections is respectfully requested. If a discussion with the undersigned will be of assistance in resolving any remaining issues, the Examiner is invited to telephone the undersigned at (201) 487-5800, ext. 114, to effect a resolution.

Respectfully submitted,



J. DAVID SMITH
Attorney for Applicant(s)
Registration No. 39,839

KLAUBER & JACKSON, LLC
411 Hackensack Avenue, 4th Floor
Hackensack, NJ 07601
(201) 487-5800